

BUR9-2000-0047US1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Benz, J.

Serial No.: 09/695,028

Filing Date: October 24, 2000



Group Art Unit: 1746

Examiner: Unknown

For: METHOD FOR THIN FILM LASER REFLECTANCE CORRELATION FOR
SUBSTRATE ETCH ENDPOINT

RECEIVED

Assistant Commissioner of Patents
Washington, D.C. 20231

MAY 29 2001

**OFFICE OF PETITIONS
DEPUTY A/C PATENTS**

**PETITION TO WITHDRAW
NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION**

Sir:

In response to the Notice of Omitted Item(s) in a Nonprovisional Application dated December 15, 2000, Applicant hereby petitions for withdrawal of the Notice of Omitted Items in a Non Provisional Application. Specifically, it is noted that figures 4C, 4D, 5C, 5D, 6C and 6D do not exist, and never existed.

Indeed, "6D" on page 6, line 10 of the specification is a typographical error and has been corrected by a concurrently-filed Preliminary Amendment. Further, no mention or description of the above-listed figures is made in the specification (e.g., see any of pages 7-8 of the Application in which only figs. 4A-4B, 5A-5B, 6A-6B, and 7 are described). Further, the Official Filing Receipt and Applicant's transmittal form indicates only 3 sheets of drawings (encompassing Figs. 1A-8) were filed, none of which includes Figs. 4C, 4D, 5C, 5D, 6C or 6D.

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Thus, these figures were erroneously indicated as being omitted from the application. Since all the figures described in the Application were in fact filed with the Application on October 24, 2000, no fee is believed to be necessary or required. Should such a fee be required, the Commissioner is authorized to charge the Assignee's Deposit Account No. 09-0456.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sean McGinn", with a stylized flourish at the end.

Sean M. McGinn
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Date: 11/05/01
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